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SUBJECT: EFFECT OF SIV PROGRAM ON LES STAFFING IN MISSION
AFGHANISTAN

¶1. Summary: The Afghan Allies Protection Act of 2009 allotted 1500 Special Immigrant Visas per annum for Afghan nationals under threat who have worked for the US government for at least one year. In addition to more general immigrant eligibility requirements, applicants must present a letter from their supervisor confirming their faithful and valuable service to the U.S. Government, must have experienced or be experiencing an ongoing serious threat because of that employment, and must receive final approval from the Chief of Mission. Post's preliminary assessment is that many will apply; far fewer will go. Nonetheless, the prospect of losing any significant portion of our LES in a relatively short period will seriously impair our ability to accomplish the critical foreign policy objectives of our mission here. We must develop now prudent, objective criteria for assessing what is a "credible threat" and safeguard against this Act itself becoming a catalyst for an immediate upsurge in allegations of threats. End Summary

¶2. Mission Afghanistan's 575 locally-engaged staff (437 with State, 138 with USAID) are but a fraction of the USG-employed or USG contractor-employed Afghans eligible for the program. But in an effort to gauge the SIV program's particular impact on Mission operations, Post conducted a survey of 112 local employees in January. The survey asked five questions about the length of U.S. Government employment, the kinds of threats employees received, how likely employees are to apply for a SIV, when an employee might submit his or her paperwork for the program, and what percentage of their colleagues they estimate will apply for a SIV.

¶3. Slightly over one-third of those surveyed have worked for the US government for more than five years. One-third have worked for less than one year, and another third have worked between one and five years. Eighty percent of our employees said they were either somewhat or very likely to apply for a Special Immigrant Visa. If qualified, fifty-three percent said they would apply in 2010, and 42% said they would apply in 2011 or 2012. Eighty percent of our local employees estimated that at least one third and possibly more than two thirds of their colleagues would apply for the program.

¶4. Still, only 17% reported receiving personal threats, and 22% reported threats to their family because of their employment with the U.S. Government. More than 60% reported either no threats or non-credible threats. Without a credible and serious threat verified by the Mission's caseworker committee, an applicant will not receive the necessary approval letter from the Chief of Mission. The large gap in the survey results between those who say they will apply for the Special Immigrant Visa program and those who report any credible threat to themselves or their families suggests that many local employees will apply to the program, but far fewer will actually receive Special Immigrant Visas. It is also possible that threats will be fabricated once the program is implemented in order to strengthen cases.

¶5. The consequences of this legislation on our ability to carry out critical foreign policy objectives could prove dire. We must rely upon our LES for the needed continuity even more than in a normal

embassy because of our own one-year rotations, so we would be hard pressed to cope with any significant number of SIV immigrants. For example, if even twenty percent of our local staff receive Special Immigrant Visas over a period of one or two years, the Mission will face a severe challenge in recruiting and hiring successors.

Already, we lose on average thirty local staff each year because of attrition to other employers, termination for cause, and illness. We receive many applications for each opening, but the quality of the applicant pool is shallow and will become more so in the years ahead as we compete with more NGOs and private companies for the relatively few qualified candidates.

¶6. Post is reviewing options and will offer recommendations within the next several weeks.

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